

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AARON ROSE, et al.,

No. C -13-05218 CRB (EDL)

Plaintiffs,

**ORDER GRANTING IN PART
PLAINTIFFS' MOTION TO COMPEL
DEFENDANTS TO PARTICIPATE IN
RULE 26(f) CONFERENCE**

v.

AECOM GOVERN SERVICES INC., et al.,

Defendants.

On December 19, 2013, Judge Breyer referred this case to this Court for resolution of all discovery disputes, including Plaintiffs' Motion to Compel Defendants to Participate in a Rule 26(f) Conference. Plaintiffs' Motion has been fully briefed and is appropriate for decision without oral argument.

Federal Rule of Civil Procedure 26(f) requires that the parties in a civil case "confer as soon as practicable--and in any event at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b)." One purpose of this Rule is to ensure that discovery is not unduly delayed. See Fed. R. Civ. P. 26(f) advisory committee's notes (1993 amendment). Here, Plaintiffs seek a Rule 26(f) discovery conference no later than January 10, 2014. Defendants respond that the deadline for the Rule 26(f) conference is February 19, 2014 and there is no reason to advance that deadline. However, the last possible day to conduct a Rule 26(f) conference is not the default date for the conference, which should be held sooner if practicable, as it is here. Defendants have offered to conduct the conference on January 27, 2014. Plaintiffs have not shown good cause to advance the conference to the week of January 6, 2014. However, January 27, 2014 is a reasonable date. Therefore, Plaintiffs' Motion to Compel is granted in part and the parties shall conduct their Rule 26(f) conference on (or if agreed, before) January 27, 2014.

IT IS SO ORDERED.

Dated: January 8, 2014


ELIZABETH D. LAPORTE
United States Magistrate Judge

United States District Court
For the Northern District of California

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